

OCT. 15. 2003 11:03AM

LATHROP&GAGE LC

NO. 512 P. 6

PATENT

Attorney Docket No.: 393312
Express Mail Label No.: EV 210653682 US

REMARKS

Claims 1-27 are currently pending in the instant application.

Claims 1-27 are subject to a restriction requirement under 35 U.S.C. § 121.

Claims 10 and 14-27 have been withdrawn from further consideration.

Claims 1-9 and 11-13 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Restriction Requirement

Claims 1-27 are subject to a restriction requirement under 35 U.S.C. § 121 as follows:

Group I: Claims 1-13, drawn to a process for preparing solid polymeric pressure sensitive adhesives wherein the monomers are not pre-emulsified prior to contact with the non-free radical polymerizable acid, classified in class 526, subclass 89.

Group II: Claims 14-27, drawn to a process of preparing solid polymeric pressure sensitive adhesives wherein the monomers are pre-emulsified prior to contact with the non-free radical polymerizable acid, classified in class 526, subclass 89.

Applicants affirm the election of Group I, made via telephone with Examiner Egwim on March 31, 2003, with traverse. The Examiner has further indicated in the Office Action dated April 10, 2003, that Applicants elected "species b" in Group I, wherein species b corresponds to the process described in Claim 11, as stated in the Office Action dated April 10, 2003. Applicants further affirm this election of species, with traverse.

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Rejection Under 35 U.S.C. § 112, second paragraph

Claims 1-9 and 11-13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse the rejection and request withdrawal of same.

The Examiner has stated that the two sections in Claim 1 that pertain to contacting the polymerizable aqueous emulsion are unclear. Applicants respectfully disagree. In section (a) of Claim 1, it is stated that the emulsion is contacted with the monomer and the polymerizable acid, and the last portion of the claim refers to contacting the emulsion prior to achieving about 95% of the conversion of the monomer. This last portion of the claim indicates that the contacting or addition of the monomer is done before 95% of the monomer is converted. As originally written, Applicants submit that Claim 1 is clear.

The Examiner has further stated that Claim 11 is indefinite. Applicants disagree. Claim 11 merely states that polymerization is initiated before the acid is contacted with the emulsion.

In view of the above discussion, Applicants respectfully request withdrawal of the rejection.

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Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to call Applicants' undersigned attorney in an effort to resolve such issues and advance this application to issue.

Respectfully submitted,

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